

# The Texas Senate

ID # 14799  
MBJ

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CHAIRMAN  
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JURISPRUDENCE COMMITTEE  
LEGISLATIVE AUDIT COMMITTEE  
TRANSPORTATION AND COMMITTEE

Ms. Madeline Johnson, Chair  
Opinions Committee  
Office of the Attorney General  
P.O. Box 12548  
Austin, Texas 78711-2548

JAN 30 92

Dear Ms. Johnson:

As Chairman of the Senate Finance Committee, I am respectfully requesting an Attorney General's opinion regarding the City of El Paso and the City of Socorro's ability to cooperate in a local transit system.

Section 6(c) of Art. 1118z, V.T.C.S. states "A department may acquire, construct, own, operate, and maintain a system within the city or town, including but not limited to the construction, reconstruction or general maintenance of all municipal streets of the city or town..." Unfortunately, though the statute does not expressly prohibit the extension of city transit systems beyond the municipal limits, the language does infer that conclusion.

The City of Socorro is not able to financially create and support a full city transit system on its own. The initial costs would be prohibitive, and it appears that the only alternative available to smaller cities would be to join larger municipal systems. To read the statute as limiting larger systems from expanding into smaller communities who already rely on the larger city for all of its needs and services would result in great harm to those persons in a city such as Socorro that rely on public transportation.

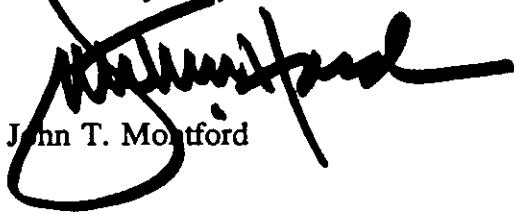
Therefore, I ask the Attorney General's opinion on the following issues:

(a) Is the City of El Paso permitted to extend its city transit system into the City of Socorro if said system was created pursuant to Article 1118z of the Texas Civil Statutes?

(b) Further, if the statute permits this extension of services then what legal procedure must be followed?

Thank you for your consideration of this matter.

Yours very truly,

A handwritten signature in black ink, appearing to read "John T. Moutford", written over the typed name.

John T. Moutford

cc: Lt. Governor Bob Bullock  
Senator Peggy Rosson